

FILED
US DISTRICT COURT
DISTRICT OF ALASKA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA 2005 DEC 20 AM 11:30

om

TANISHA BOZEMAN,)
)
Plaintiff,)
)
v.)
)
PROGRESSIVE CASUALTY)
INSURANCE COMPANY and)
INTEGRITY INSURANCE)
AGENCY, LLC)
)
Defendant.)

Case No. A05-0178 CV (JKS)

SCHEDULING AND PLANNING CONFERENCE REPORT

1. Meeting. In accordance with F.R.Civ.P. 26(f), a meeting was held on December 13, 2005 and attended by:

P. Dennis Maloney for Tanisha Bozeman, Plaintiff

Aisha Tinker Bray for Progressive Casualty Insurance Company, Defendant

Kenneth G. Schoolcraft for Integrity Insurance Agency, LLC, Defendant

The parties recommend the following:

2. Pre-Discovery Disclosures. The information required by F.R.Civ.P. 26(a)(1):

☐ has been exchanged by the parties.

☒ will be exchanged by the parties by January 16, 2006.

Preliminary witness lists

☐ have been exchanged by the parties.

☒ will be exchanged by the parties by January 16, 2006.

3. Contested Issues of Fact and Law. Preliminarily, the parties expect the following issues of fact and/or law to be presented to the court at trial in this matter:

Uninsured (UM) coverage, bad faith, compensatory and punitive damages, affirmative defenses.

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4. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

A. Discovery will be needed on the following issues:
See No. 3 above

B. All discovery commenced in time to be completed by
90 days before trial ("discovery close date").

C. Limitations on Discovery.

1. Interrogatories.

☒ No change from F.R.Civ.P. 33(a).

☐ Maximum of _____ by each party to any other party. Responses due _____ of days.

2. Requests for Admission.

☒ No change from F.R.Civ.P. 36(a).

☐ Maximum of _____ requests.
Responses due in _____ days.

3. Depositions.

☒ No change from F.R.Civ.P. 30(a), (d).

☐ Maximum of _____ depositions by each party.
Depositions not to exceed _____ hours unless agreed to by all parties.

D. Reports from retained experts.

☐ Not later than 90 days before the close of discovery subject to F.R.Civ.P. 26(a)(2)(C).

☒ Reports due:

From plaintiff see below

From defendant see below

- Plaintiff requests simultaneous disclosure of
- expert witness reports and simultaneous disclosure of rebuttal reports 30 days later. Defendants request *seriatim* disclosure of expert witness reports and rebuttal reports. Both parties agree that initial expert witness reports should be disclosed no later than 60 days prior to the close of discovery.

E. Supplementation of disclosures and discovery responses are to be made:

☒ Periodically at 60-day intervals from entry of scheduling and planning order.

☐ As new information is acquired, but not later than 60 days before the close of discovery.

F. A final witness list, disclosing all lay and expert witnesses whom a party may wish to call at trial, will be due:

☒ 45 days prior to the close of discovery.

☐ Not later than _____.

5. Pretrial Motions.

☒ No change from D.Ak. LR 16.1(c).

The following changes to D.Ak. LR 16.1(c).

☐ Motions to amend pleadings or add parties to be filed not later than _____

☐ Motions under the discovery rules must be filed not later than _____

☐ Motions in limine and dispositive motions must be filed not later than _____

6. Other Provisions.

A. ☒ The parties do not request a conference with the court before entry of the scheduling order.

☐ The parties request a scheduling conference with the court on the following issue(s): _____

B. Alternative Dispute Resolution. [D.Ak.LR 16.2]

☒ This matter is not considered a candidate for court-annexed alternative dispute resolution.

☐ The parties will file a request for alternative dispute resolution not later than _____

☐ Mediation

☐ Early Neutral Evaluation

C. The parties ☐ do ☒ do not consent to trial before a magistrate judge.

D. Compliance with Disclosure Requirements of F.R.Civ.P.7.1

☒ All parties have complied.

☐ Compliance not required by any party.

7. Trial.

A. The matter will be ready for trial:

☐ 45 days after the discovery close date.

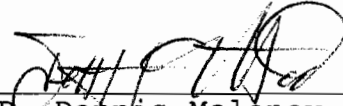
☒ not later than 90 days after the discovery closing date.

B. The matter is expected to take 5 days to try.

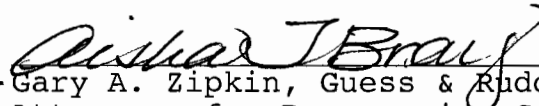
C. Jury Demanded: ☒ Yes ☐ No

Right to jury trial disputed? ☐ Yes ☒ No

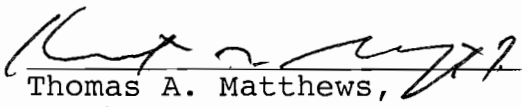
12/19/05
Date

 - By Direction of:
P. Dennis Maloney,
P. Dennis Maloney, P.C.
Attorney for Tanisha Bozeman

12/13/05
Date


for Gary A. Zipkin, Guess & Rudd P.C.
Attorneys for Progressive Casualty
Insurance Company

12/16/05
Date


for Thomas A. Matthews,
Matthews & Zahare, P.C.
Attorneys for Integrity Insurance
Agency, LLC